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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3573 OF 2005
IN
INCOME TAX APPEAL (L) NO. 1575 OF 2005

The Commissioner of Income Tax ... Appellant

Versus

M/s. S.H. Kelkar & Co. Ltd. ... Respondent

Mr. B.M. Chatterjee with Ms. P.P. Bhosale and Mr. P.S. Sahadevan for the Appellants.

Mr. Nishant Thakkar i/by Mulla & Mulla for Respondent.

CORAM: F.I. REBELLO &
J.P. DEVADHAR, JJ.
DATED: SEPTEMBER 12, 2007

P.C.:

. In view of the judgment of this court in 245 ITR 769, which has been confirmed by the Supreme Court in its Judgment reported in 290 ITR 607 SC, the learned counsel seeks leave to withdraw the appeal with motion. Motion along with appeal dismissed as withdrawn. C.C. expedited. Refund of court fees as per rules.

(J.P. DEVADHAR, J.) **(F.I.REBELLO, J.)**